

1. Lafcadio Darling, ABA #1510084  
HOLMES WEDDLE & BARCOTT, P.C.  
2. 3101 Western Avenue, Suite 500  
Seattle, Washington 98121  
3. Telephone: (206) 292-8008  
Facsimile: (206) 340-0289  
4. Email: ldarling@hwb-law.com

5. Attorney for Plaintiff

6. **IN THE UNITED STATES DISTRICT COURT FOR THE**  
7. **DISTRICT OF ALASKA AT ANCHORAGE**

8. RETRIEVER TENDER ALASKA LLC, an  
Alaska company,

9. **Plaintiff,**

10. **v.**

11. JASON KING, individually,

12. **Defendant.**

**IN ADMIRALTY**

**Case No.**

13. **COMPLAINT FOR DISCHARGE OF MARITIME LIEN**  
14. **(46 U.S.C. § 31343)**

15. **COMES NOW** the Plaintiff , RETRIEVER TENDER ALASKA LLC, by  
16. and through its attorneys, Holmes Weddle & Barcott, P.C., and complains against  
17. Defendant JASON KING as set forth below.

18. **JURISDICTION**

19. 1. Jurisdiction is based upon 28 U.S.C. § 1333, admiralty, and 28 U.S.C. §  
20. 1331, federal question, specifically 46 U.S.C. § 31343. This is an admiralty or  
21. maritime claim within the meaning of Fed. R. Civ. P. 9(h).  
22.  
23.  
24.  
25.  
26.

2. Plaintiff Retriever Tender Alaska LLC is an Alaska company and at all relevant times was the owner of the vessel RETRIEVER, Official Number 598975 (“the Vessel”).

3. Defendant Jason King is an individual who previously performed work on the Vessel in Alaskan waters and who is currently residing in the State of Tennessee. During all relevant times, Mr. King was working in the waters of Alaska for an Alaska company. Therefore, any transactions or occurrences which could have formed the basis for the liens asserted against the Vessel by Mr. King would have only occurred in Alaska and this Court has personal jurisdiction over Mr. King.

4. Plaintiff seeks a declaration that the Vessel is not subject to certain Notices of Claim of Maritime Lien or to the maritime liens asserted by Defendant King.

5. The Vessel is currently located in the District of Alaska.

**COUNT I: DISCHARGE OF MARITIME LIEN**  
**(October 2012 Notice)**

6. On October 9, 2012 Jason King filed a Notice of Claim of Maritime Lien dated October 3, 2012 with the United States Coast Guard National Vessel Documentation Center in the amount of \$30,000 against the Vessel, stating that the lien claim arose on April 1, 2011. A true and correct copy of the October 3, 2012 Notice of Claim of Lien attached hereto as **Exhibit A**.

1. 7. Mr. King has had reasonable opportunity to enforce the lien, but has  
2. done nothing to pursue his claim referenced in Exhibit A.  
3.

4. 8. Plaintiff is unaware of any amount due to Mr. King against or relating to  
5. the Vessel that arose on or about April 1, 2011.

6. 9. Defendant King has unreasonably delayed in pursuing any claim  
7. referenced in Exhibit A against the Vessel, and such delay continues to prejudice  
8. Plaintiff because the lien remains a cloud on the title to the Vessel and impairs  
9. the use and marketability of the Vessel. Accordingly, Mr. King's claim stated in  
10. his October 3, 2012 Notice is barred by laches.  
11.

12. **COUNT II: DISCHARGE OF MARITIME LIEN**  
13. **(January 2013 Notice)**

14. 10. On January 28, 2013 Mr. King filed a Notice of Claim of Maritime Lien  
15. dated January 25, 2013 with the United States Coast Guard National Vessel  
16. Documentation Center in the amount of \$30,000 against the Vessel, stating that  
17. the lien claim arose on April 1, 2011. A true and correct copy of the January 28,  
18. 2013 Notice of Claim of Lien attached hereto as **Exhibit B**.  
19.

20. 11. Mr. King has had reasonable opportunity to enforce the claimed lien,  
21. but has done nothing to pursue his claim.  
22.

23. 12. Plaintiff is unaware of any amount due to Mr. King against or relating to  
24. the Vessel that arose on or about April 1, 2011.  
25.  
26.

1. 13. Defendant has unreasonably delayed in pursuing any claim as  
2. referenced in Exhibit B against the Vessel, and such delay continues to prejudice  
3. Plaintiff because the lien remains a cloud on the title to the Vessel and impairs  
4. the use and marketability of the Vessel. Accordingly, King's claim listed in the  
5. January 25, 2013 Notice is barred by laches.  
6.

7. **WHEREFORE**, Retriever Tender Alaska LLC prays that the Court declare  
8. and award as follows:  
9.

10. 1. Declare that the Vessel RETRIEVER, Official Number 598975 is not  
11. subject to any maritime lien and each Notice of Claim of Maritime Lien asserted  
12. by Jason King be denied.  
13.

14. 2. Award the Plaintiff all fees and costs in connection with this action  
15. pursuant to 46 U.S.C. § 31343.  
16.

17. 3. Enter such other and further relief as the court deems reasonable and  
18. just.  
19.

DATED this 2nd day of September, 2021.

HOLMES WEDDLE & BARCOTT, P.C.  
Attorney for Plaintiff

s/ Lafcadio H. Darling  
Lafcadio Darling, ABA #1510084